

Message Text

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PAGE 01 MONTRE 01503 121849Z

ACTION IO-14

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FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 9143

INFO AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO COUNCIL DISSATISFACTION WITH HEADQUARTERS AGREEMENT
AND HOST GOVERNMENT CANADA

1. UNDER "OTHER BUSINESS" SEPTEMBER 9, MEXICO REP DISCUSSED DISSATISFACTION WITH HEADQUARTERS AGREEMENT AND MOST RECENT "INCIDENTS". HE AND FAMILY, RETURNING FROM VERMONT LAST WEEK WERE DETAINED FOR HOUR AT BORDER BY CANADIAN CUSTOMS WHO INSISTED ON OPENING TRUNK AND PERSONAL SEARCH. SUPERVISOR, WAS MADE TO PULL FILE RE CUSTOMS CIRCULAR 60C AND ICAO HEADQUARTERS AGREEMENT AFTER WHICH HE APOLOGIZED TO MEXICO REP. AS RESULT OF THIS AND MANY OTHER OCCURRENCES MEXICO MADE FORMAL PROPOSAL THAT SYG BE INSTRUCTED SUBMIT TO COUNCIL AS EARLY AS CONVENIENT (FEB-MAR SESSION) A WORKING PAPER REVIEWING HEADQUARTERS AGREEMENT, AND DISCUSSING SPECIFIC PROBLEM AREAS.

2. HIS PROPOSAL WAS STRONGLY SUPPORTED BY ALL INTERVENTIONS INCLUDING GERMANY, BRAZIL, ARGENTINA, PAKISTAN, COLOMBIA, SENEGAL, COSTA RICA, NIGERIA, ITALY. AUSTRALIA AND U.S. SUPPORTED "REVIEW OF EFFECTIVENESS" AS BEING "TIMELY". INTERVENTIONS DEALT WITH TAX EXEMPTION/REFUND PROBLEM, SCHOOL SITUATION, BILINGUALISM REQUIREMENT AS EFFECTS SCHOOLS/FAMILIES, PARKING PROBLEMS (TICKETS GIVEN EVEN IN DIPLOMATIC PARKING SPACE), LACK OF KNOWLEDGE OF

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 MONTRE 01503 121849Z

ICAO AND AFFAIRES ESTERIEURES GREEN CARDS, AIRPORT QUESTIONING AND SEARCHES, EMBARRASSMENT IN FRONT OF VISITING DIGNITARIES, ETC.

3. UK INTERVENED BECAUSE DID NOT WANT SILENCE TO BE INTERPRETED AS GOING ALONG WITH MAJORITY NECESSARILY.

4. FYI: US SUPPORTED REVIEW AND CLARIFICATION NOT BECAUSE OF PROBLEMS (WHICH HAVE BEEN MANY). BUT SPECIFICALLY BECAUSE OF NEED FOR CLARIFICATION (AND POSSIBLY ADDENDUM TO AGREEMENT) RE DIPLOMATIC PRIVILEGES FOR FSO'S AND FSSO'S. (THIS HAS NOT BEEN PROBLEM IN PAST BECAUSE ONLY FS POSITION WAS FSSO RECEPTIONIST.) ICAO/HEADQUARTERS AGREEMENT WITH CANADA EXTENDS PRIVILEGES TO REPRESENTATIVES, ALTERNATES, "SECRETARIES" (CORRESPONDING TO SECRETARIES TO EMBASSY), AND TECHNICAL ADVISORS. IT DOES NOT EXTEND TO STAFF POSITIONS SUCH AS SECRETARIES AND JUNIOR FSO'S. THAT INTERPRETATION WAS REAFFIRMED LAST YEAR BY ICAO'S OFFICE OF EXTERNAL AFFAIRS WHEN I ATTEMPTED TO GET PRIVILEGES FOR NEW JUNIOR FSO. REASON IS THEY DO NOT WANT THE ISSUE RAISED WITH RESPECT TO STAFF

MEMBERS AT SAME LEVEL IN OTHER DELEGATIONS, SOME OF WHOM ARE THIRD COUNTRY NATIONALS HIRED LOCALLY, OR ARE OF THE DELEGATION'S NATIONALITY BUT ARE HIRED LOCALLY, OR ARE NOT PROFESSIONALS/ CAREERISTS WITH THEIR GOVERNMENTS ETC. THE US AND PERHAPS ONE OR TWO OTHER MAJOR DELEGATIONS (FRANCE, UK, NORDIC DEL.) HAVE FOREIGN SERVICE

CAREERISTS ROTATING IN AND OUT, AND THEY SHOULD BE ENTITLED TO SUCH PRIVILEGES AS TAX EXEMPTION/REIMBURSEMENT, DIPLOMATIC LICENSE PLATES, ETC. THIS SHOULD BE CLEARLY ARRANGED THROUGH AN ADDENDUM TO AGREEMENT, OR THROUGH INTERPRETATION OF THE PRESENT AGREEMENT.

5. RECENT FS INSPECTION OF USMISSION TOUCHED ON THIS QUESTION.
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 MONTRE 01503 121849Z

USREP UNDERSTANDS EMBASSY/OTTAWA PRESENTLY LOOKING INTO US/ CANADA RECIPROCITY AGREEMENT IN THESE MATTERS. MORE RELEVANT, HOWEVER, ARE AGREEMENTS BETWEEN OTHER SPECIALIZED AGENCIES AND THEIR HOST GOVERNMENTS. SUCH INFO WILL NEED TO BE AVAILABLE TO US EARLY NEXT YEAR FOR HANDLING CWP TO BEST ADVANTAGE.

6. POUCHING COPIES OF ICAO HEADQUARTERS AGREEMENT TO IO, EB AND OTTAWA (FYI).
HARPER

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